UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/696,113	STANFORD, JOEY
	Examiner	Art Unit
	Douglas C. Godbold	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 October 2003</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-16</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>28 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
     1.☐ Certified copies of the priority documents have been received.
     2.☐ Certified copies of the priority documents have been received in Application No. _____.
     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>20031028</u>.
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20070306

DETAILED ACTION

1.   This office action is in response to application 10/696,113 filed on October 28,

2003. Claims 1-16 are pending in the application and have been examined.

Information Disclosure Statement

2.   The information disclosure statement filed on October 28, 2003 was considered

in this application.

Specification

3.   The disclosure is objected to because of the following informalities: On page 9

line 16, "step xxx" should be "step 201".

Appropriate correction is required.

4.   The disclosure is objected to because it contains an embedded hyperlink and/or

other form of browser-executable code (page 9, line 8). Applicant is required to delete

the embedded hyperlink and/or other form of browser-executable code. See MPEP §

608.01.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

6.   Claim 14 is rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. Claim 14 attempts to claim a computer

program product. Although the claimed computer program product does contain a

computer readable medium, there is no definition in the written description to say what it

is. A computer program product is non-statutory under 35 U.S.C 101.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating
            obviousness or nonobviousness.

9.   Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bordeaux (US Patent 5,758,023) in view of Hoffberg (US PgPub 2003/0050784).

10.   Consider claim 1, Bordeaux teaches a method for transcribing an audio file

(using speech recognizer in system of figure 1), said method comprising the steps of:

using said voice recognition software to transcribe said audio file (using speech recognizer in system of figure 1).

selecting voice recognition software of said language of said text (the language selector 1 displays a menu of stored languages from which the user selects the one of interest. It retrieves from storage and passes the neural network parameters and weights for that language to the neural network phone identifier 5 and the appropriate language dictionary 9 to the phoneme string translator 7 column 5, line 26); and

using said voice recognition software to transcribe audio file (using system of figure 1)

Bordeaux does not specifically teach:

determining a language of text in said web page, and

that the file is included in or referenced by a web page

In the same field of audio content analysis, Hoffberg teaches:

determining a language of text in said web page (Taking into consideration the resource's country domain extension, e.g., ".nl" for the Netherlands or ".ru" for Russia, further optimizes the analysis of the URL, for example if one is interested in audio content in a specific natural language; paragraph 0004.), and

that the file is included in or referenced by a web page (The invention relates in particular to a method for categorizing web site that provide audio broadcasts over the Internet; field of invention.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the transcription of Bordeaux with the language detection of

Hoffberg in order to allow for categorizing web sites or resources on the Internet that provide audio (paragraph 0004, Hoffberg) which would provide an input to language selector 1 of Bordeaux.

11.   Consider claim 8, Bordeaux teaches a system for transcribing an audio file (speech recognizer in system of figure 1), said system comprising:

means for selecting voice recognition software of said language of said text (the language selector 1 displays a menu of stored languages from which the user selects the one of interest. It retrieves from storage and passes the neural network parameters and weights for that language to the neural network phone identifier 5 and the appropriate language dictionary 9 to the phoneme string translator 7 column 5, line 26), and

means for using said voice recognition software to transcribe said audio file (system of figure 1).

Bordeaux does not specifically teach:

means for determining a language of text in said web page, and

that the file is included in or referenced by a web page.

In the same field of audio content analysis, Hoffberg teaches:

Means determining a language of text in said web page (Taking into consideration the resource's country domain extension, e.g., ".nl" for the Netherlands or ".ru" for Russia, further optimizes the analysis of the URL, for example if one is interested in audio content in a specific natural language; paragraph 0004.), and

that the file is included in or referenced by a web page (The invention relates in particular to a method for categorizing web site that provide audio broadcasts over the Internet; field of invention.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the transcription of Bordeaux with the language detection of Hoffberg in order to allow for categorizing web sites or resources on the Internet that provide audio (paragraph 0004, Hoffberg) which would provide an input to language selector 1 of Bordeaux.

12.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bordeaux in view of Hoffberg as applied to claim 1 above, and further in view of Zoarez (US PgPub 2002/0092509).

13.   Consider claim 2, Bordeaux and Hoffberg teaches a method as set forth in claim 1 but does not specifically teach that the step of determining said language of said text comprises the step of text comprises the step of comparing said text to a multi-lingual data base to identify words of said text which match words in said multi-lingual data base.

In the same field of Webpage language determination, Zoarez teaches that the step of determining said language of said lingual data base to identify words of said text which match words in said multi-lingual data base (Figure 2, The source language is

identified according to common words of each language such as "The" or "for" in the

English language by using the common word database 24 (figure 1); paragraph 0022).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the searching of a database of Zoarez with the transcription

method of Bordeaux and Hoffberg in order to provide a more robust language

determination of the website.

14.   Claims 3, 4, 6, 7, 9, 10, 12, 13, and 14 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Bordeaux in view of Hoffberg as applied to claim 1 above, and

further in view of Caccuro et al. (US Patent 5,440,615).

15.   Consider claim 3, the combination of Bordeaux with Hoffberg teaches a method

as set forth in claim 1 wherein if the language determined in the determining step is not

the language of said audio file, then further comprising the steps of:

selecting voice recognition software of said related language (the language

selector 1 displays a menu of stored languages from which the user selects the one of

interest. It retrieves from storage and passes the neural network parameters and

weights for that language to the neural network phone identifier 5 and the appropriate

language dictionary 9 to the phoneme string translator 7 column 5, line 26, Bordeaux);

and

using said voice recognition software of said related language to transcribe said

audio file (system of uses parameters selected by language selector, figure 1

Bordeaux).

However this combination does not specifically teach the step of determining a

language related to the language determined in the determining step.

In the same field of language determination, Caccuro teaches determining a

language related to the language determined in the determining step (figures 5 and 6

show a database of language priority arrays for a region of a country, which is chosen in

figure 7. Figure 8 shows selected the next language in the array if caller does not

respond; column 4 line 64 – column 6 line 50).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the multiple related language support of Caccuro with

transcription method of Bordeaux and Hoffberg as it provides a solution to a shared

problem in both transcription and telephone support, the possibility of related languages

from one geographical area (abstract, Caccuro).

16.   Consider claim 4, Caccuro teaches a method as set forth in claim 3 wherein the

related language is related geographically to the language of said text (figures 5 and 6

depict a chart showing languages related by country).

17.   Consider claim 6, Caccuro teaches a method as set forth in claim 3 wherein the

related language has a common root as the language of said text (figure 5, show

groupings including French, Italian, and Romansch, all of which are Romance

languages and therefore share the same root).

18.   Consider claim 7, Caccuro teaches a method as set forth in claim 3 wherein the

related language is commonly spoken in a same country as the language of said text

(figures 5 and 6 show a database of language priority arrays for a region of a country;

column 4 line 64.)

19.   Consider claim 9, Bordeaux teaches a method for transcribing an audio file

(using system of figure 1), said method comprising the steps of:

          selecting voice recognition software of said related language the language

(selector 1 displays a menu of stored languages from which the user selects the one of

interest. It retrieves from storage and passes the neural network parameters and

weights for that language to the neural network phone identifier 5 and the appropriate

language dictionary 9 to the phoneme string translator 7 column 5, line 26); and

          using said voice recognition software of said related language to transcribe said

audio file (using voice recognition system of figure 1).

          Bordeaux does not specifically teach that the file is included in or referenced by a

web page or the steps of:

          determining a domain extension of said web page, and an official language of

said domain extension, and if said official language is not a language of said audio file,

          determining a language related to said official language.

In the same field of audio content analysis, Hoffberg teaches:

determining a domain extension of said web page, and an official language of

said domain extension (Taking into consideration the resource's country domain

extension, e.g., ".nl" for the Netherlands or ".ru" for Russia, further optimizes the

analysis of the URL, for example if one is interested in audio content in a specific

natural language; paragraph 0004.), and

that the file is included in or referenced by a web page (The invention relates in

particular to a method for categorizing web site that provide audio broadcasts over the

Internet; field of invention.)

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the transcription of Bordeaux with the language detection of

Hoffberg in order to allow for categorizing web sites or resources on the Internet that

provide audio (paragraph 0004, Hoffberg) which would provide an input to language

selector 1 of Bordeaux.

But this combination does not specifically teach and if said official language is not

a language of said audio file, determining a language related to said official language.

In the same field of language selection, Caccuro teaches determining a language

related to said official language (figures 5 and 6 show a database of language priority

arrays for a region of a country, which is chosen in figure 7. Figure 8 shows selected

the next language in the array if caller does not respond; column 4 line 64 – column 6

line 50).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the multiple related language support of Caccuro with

transcription method of Bordeaux and Hoffberg as it provides a solution to a shared

problem in both transcription and telephone support, the possibility of related languages

from one geographical area (abstract, Caccuro).

20.   Consider claim 10, Caccuro teaches a method as set forth in claim 9 wherein the

related language is related geographically to the language of said text (figures 5 and 6

depict a chart showing languages related by country).

21.   Consider claim 12, Caccuro teaches a method as set forth in claim 9 wherein the

related language has a common root as the language of said text (figure 5, show

groupings including French, Italian, and Romansch, all of which are Romance

languages and therefore share the same root).

22.   Consider claim 13, Caccuro teaches a method as set forth in claim 9 wherein the

related language is commonly spoken in a same country as the language of said text

(figures 5 and 6 show a database of language priority arrays for a region of a country;

column 4 line 64.)

23.   Consider claim 14, Bordeaux teaches a computer program product (Figure 13,

the method and system disclosed herein may require concurrent processing for real

time operation unless implemented on a "super computer"; however, it is intended

primarily for widespread use and the preferred implementation is on a "personal

computer" or "workstation" class of machine; column 13, line 32.) for transcribing an

audio file (outlined in figure 1), said computer program product comprising:

a computer readable medium (As shown in figure 13, the method is to be

implemented on a computer, therefore a computer readable medium is inherent in order

to store and execute program instructions);

program instructions select voice recognition software of said related language

(selector 1 displays a menu of stored languages from which the user selects the one of

interest. It retrieves from storage and passes the neural network parameters and

weights for that language to the neural network phone identifier 5 and the appropriate

language dictionary 9 to the phoneme string translator 7 column 5, line 26); and

program instructions use said voice recognition software of said related language

to transcribe said audio file (using voice recognition system of figure 1); and wherein

said all program instructions are recorded on said medium (it is inherent that if a

method is to be carried out on a computer, the computer code must be stored on for

processing by the computer a computer readable memory, whether it be a disc drive,

ROM or RAM.)

Bordeaux does not specifically teach that the file is included in or referenced by a

web page or:

program instructions to determine a domain extension of said web page, and an official language of said domain extension, and if said official language is not a language of said audio file,

program instructions determine a language related to said official language;

In the same field of audio content analysis, Hoffberg teaches:

program instructions of determining a domain extension of said web page, and an official language of said domain extension (Taking into consideration the resource's country domain extension, e.g., ".nl" for the Netherlands or ".ru" for Russia, further optimizes the analysis of the URL, for example if one is interested in audio content in a specific natural language; paragraph 0004.), and

that the file is included in or referenced by a web page (The invention relates in particular to a method for categorizing web site that provide audio broadcasts over the Internet; field of invention.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the transcription of Bordeaux with the language detection of Hoffberg in order to allow for categorizing web sites or resources on the Internet that provide audio (paragraph 0004, Hoffberg) which would provide an input to language selector 1 of Bordeaux.

But this combination does not specifically teach and if said official language is not a language of said audio file, program instructions to determine a language related to said official language.

In the same field of language selection, Caccuro teaches determining a language

related to said official language (figures 5 and 6 show a database of language priority

arrays for a region of a country, which is chosen in figure 7. Figure 8 shows selected

the next language in the array if caller does not respond; column 4 line 64 – column 6

line 50).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to combine the multiple related language support of Caccuro with

transcription method of Bordeaux and Hoffberg as it provides a solution to a shared

problem in both transcription and telephone support, the possibility of related languages

from one geographical area (abstract, Caccuro).

24.   Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bordeaux in view of Hoffberg in view of Caccuro as applied to claim 3 above, and

further in view of Taylor (Us PgPub 2002/0161580).

25.   Consider claim 5, the combination of Bordeaux and Hoffberg with Caccuro

teaches a method as set forth in claim 3 but does not specifically teach wherein the

related language is another dialect of the language of said text.

However in the same field of recognizing languages, Taylor teaches the selection

of local dialects in order to enhance the accuracy of speech recognition (explained in

paragraph 0018).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the local dialect support or Taylor with the transcription method of Bordeaux, Hoffberg, and Caccuro in order to provide reliable transcription from multiple speakers of the same language (Taylor 0014).

26.   Consider claim 11, the combination of Bordeaux and Hoffberg with Caccuro teaches a method as set forth in claim 9 but does not specifically teach wherein the related language is another dialect of the language of said text.

However in the same field of recognizing languages, Taylor teaches the selection of local dialects in order to enhance the accuracy of speech recognition (explained in paragraph 0018).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the local dialect support or Taylor with the transcription method of Bordeaux, Hoffberg, and Caccuro in order to provide reliable transcription from multiple speakers of the same language (Taylor 0014).

27.   Claims 15 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Bordeaux in view of Hoffberg in view of Caccuro as applied to claims 3, 9 and 14 above, and further in view of the Admitted Prior Art (APA).

28.   Consider claim 15, Bordeaux teaches a method for transcribing an audio file (using system of figure 1), said method comprising the steps of:

selecting voice recognition software of said language of said text (the language

selector 1 displays a menu of stored languages from which the user selects the one of

interest. It retrieves from storage and passes the neural network parameters and

weights for that language to the neural network phone identifier 5 and the appropriate

language dictionary 9 to the phoneme string translator 7 column 5, line 26); and

using said voice recognition software to transcribe audio file (using system of

figure 1).

Bordeaux does not specifically teach that the file can be included in or referenced

by a web page or the steps of:

determining a country of a full domain of said web page;

determining an official language of said country.

In the same field of speech and audio analysis, Hoffberg teaches that the file can

be included in or referenced by a web page (The invention relates in particular to a

method for categorizing web site that provide audio broadcasts over the Internet; field of

invention.)

Therefore it would have been obvious to one of ordinary skill in the art at the time

of invention to use the transcription method of Bordeaux to transcribe an audio file

associated with a website as taught by Hoffberg in order to provide a method of

searching audio content (abstract Hoffberg).

This Bordeaux and Hoffberg combination does not specifically teach determining

a country of a full domain of said web page; and

determining an official language of said country.

In the same field of website classification, the APA of the specification teaches the step of determining a country of a full domain of said web page (On all standard domains, there exists "registrant information" which usually contains the country of origin of the registrant. This information can be obtain through an Internet WHOIS search such as the one available on Network Solutions' Web site (http://www.networksolutions.com/en_US/whois/index.jhtml). For example, a search of "WHOIS IBM.COM" shows that the registrant, International Business Machines Corporation, is located in Armonk, New York, USA.; specification, page 9, line 5)

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention look up the website information on WHO IS as taught by the APA in order to ascertain the originating country of the website with an audio file as taught by the combination of Bordeaux and Hoffberg.

But this combination does not teach determining an official language of said country.

In the same field of language processing, Caccuro teaches determining an official language of said country (figures 5 and 6 show languages related to different countries, and the priority of each language for each region. Therefore with the system of Caccuro, once the country is known [in this case given by a country code] a language can be determined. This is shown also in figures 7 and 8 and explain in detail column 4 line 64 – column 6 line 50).

Therefore it would have been obvious to combine the language selection based on country as taught by Caccuro with the transcription method of Bordeaux, Hoffberg

and the APA in order to provide a way of selecting the language to input to language

selector of Bordeaux that is specific to the location of origin of the website containing

the file.

29.   Consider claim 16, Bordeaux and Caccuro teach a method as set forth in claim

15 wherein if said official language is not a language of said audio file, further

comprising the steps of:

determining a language related to said official language (Caccuro, figures 5 and 6 show

a database of language priority arrays for a region of a country, which is chosen in

figure 7. Figure 8 shows selected the next language in the array if caller does not

respond; column 4 line 64 — column 6 line 50);

        selecting voice recognition software of said related language (Bordeaux, the

language selector 1 displays a menu of stored languages from which the user selects

the one of interest. It retrieves from storage and passes the neural network parameters

and weights for that language to the neural network phone identifier 5 and the

appropriate language dictionary 9 to the phoneme string translator 7 column 5, line 26);

and

        using said voice recognition software of said related language to transcribe said

audio file (using system of figure 1,Bordeaux).

Conclusion

30.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure is contained on the Notice of References Cited (PTO – 1472).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Douglas C. Godbold whose telephone number is (571)

270-1451. The examiner can normally be reached on Monday-Thursday 7:00am-

4:30pm Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCG

PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER